

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER 98-039

(RESCINDING ORDERS 93-162, 94-041 and 95-113)

RESCISSION OF SITE CLEANUP REQUIREMENTS FOR:

2005, 2017, 2025, 2065 BAY ROAD OPERABLE UNIT (BAW-OU)
RAVENSWOOD INDUSTRIAL AREA,
EAST PALO ALTO
SAN MATEO COUNTY

PRIMARY DISCHARGERS:

- 1) Lauren Boscacci;
- 2) Lauren Boscacci, doing business as the companies named as dischargers in this Order;
- 3) Nancy Boscacci;
- 4) Nancy Boscacci, doing business as the companies named as dischargers in this Order;
- 5) Anthony Boscacci;
- 6) Anthony Boscacci, doing business as the companies named as dischargers in this Order;
- 7) United Auto Wreckers;
- 8) Bay Area Auto Dismantlers;
- 9) Bay Area Auto Wreckers;
- 10) Bay Area Auto Wrecking or Bay Area Auto Wrecking, Inc.;
- 11) Bay Area Auto Wrecking Company or Bay Area Auto Wrecking Company, Inc.;
- 12) Bay Area Towing or Bay Area Towing Company;
- 13) Bay Area Towing and Wrecking Company or Bay Area Towing and Wrecking Company, Inc.;
- 14) Bay Area Marine Salvage and Dismantling;
- 15) ABC Auto Wrecking;
- 16) ABC Imported Parts or ABC Imported Parts Bay Area Foreign

SECONDARY DISCHARGER:

Michael Demeter

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. **Site Location:** The 130 acre Ravenswood Industrial Area (RIA) of East Palo Alto, San Mateo County, consists of approximately 59 privately owned properties which are located adjacent to wetlands along the western margin of San Francisco Bay

immediately south of the Dumbarton Bridge (Figure 1). These properties generally consist of agricultural, manufacturing, auto wreckers, and storage facilities. The 2005, 2017, 2025 and 2065 Bay Road Operable Unit (BAW-OU) addressed by this Order is one of these properties. In 1989, the City of East Palo Alto designated the RIA as a redevelopment "Project Area"; however, due in part to perceived soil and groundwater pollution, redevelopment efforts have been hampered.

The U.S. Environmental Protection Agency, Region IX (USEPA), in 1996, designated the RIA a "Regional Brownfield Pilot Project" as part of their national "Brownfields Initiative". Recently, USEPA has also named the RIA a "National Brownfield Pilot Project". USEPA, the City of East Palo Alto, and the Board have been working together to investigate potential soil and groundwater pollution in the RIA in order that the City may move forward with redevelopment of the area.

2. **Operable Unit History:** The BAW-OU property was converted from agricultural production to an auto wrecking/ auto parts resale business in approximately 1953. The primary dischargers operated on the property for 42 years until the business was closed in 1995. The property is currently vacant and all structures have been removed.

During the use of the property for auto wrecking operations, a number of activities which had the potential to cause environmental releases of potentially hazardous materials were engaged in. These activities included parts salvaging, oil and hydraulic fluid recycling, engine and transmission cleaning, and crushing of auto bodies. Poor handling practices related to these activities resulted in discharge of petroleum products directly onto the unpaved surface of the facility.

3. **Regulatory History:** In 1992, the Board adopted Site Cleanup Requirement (SCR), Orders 92-037 and 92-086 for all properties in the RIA. These Orders contained tasks required to evaluate if soil and or groundwater pollution was caused by past or present site use activities. These Orders named each of the individual property owners as dischargers because of their current ownership of the site properties and contained requirements for their individual parcels. Demeter was named as a discharger of the BAW-OU and was required to submit a site and chemical use history and workplan for investigation. Demeter has submitted both of these reports as well as the May 1992 limited Phase I and Phase II Site Assessment prepared by Mittlehauser Corporation. Based on the findings of these reports, SCR Order 93-162 as later amended by 94-041 and 95-113 were adopted. These Orders named the tenants of the property, the Boscaccis and their associated businesses as primary dischargers and set forth a task and time schedule to complete investigation and remediation. Although Demeter was named as a secondary discharger, he has chosen to take the lead and has conducted all investigative and remedial activities on the property.
4. **Adjacent Sites:** The BAW-OU is bounded by Romic Environmental Technologies (Romic) immediately to the north and east; the 1990 Bay Road Site to the south; and,

Rogge's Auto Wrecking to the west. Historic releases of volatile organic compounds on the Romic facility and heavy metals on the 1990 Bay Road facilities have impacted groundwater along their respective boundaries to the BAW-OU. Ongoing investigation and remediation of releases on these facilities is currently in progress.

5. **Soil and Groundwater Investigation:** Soil and groundwater investigation activities began in 1992 at the BAW-OU. Results of these investigations confirmed that the shallow soils, (primarily within two feet of the ground surface) had been impacted hydrocarbon and metal compounds commonly associated with auto wrecking and parts salvaging operations.
 - a. **Soil:** The contaminants most frequently detected in shallow soils on this property were petroleum hydrocarbons (in the form of gasoline, diesel fuel, used motor oil, hydraulic fluids and greases) and heavy metals (primarily lead with lower levels of zinc and chromium).
 - b. **Groundwater:** The Phase II groundwater investigation included installation of two monitoring wells (MW-1 & MW-2). In addition, the two existing wells from the 1990 Bay Road Site were sampled (W-120 and W-121). Each of these wells are screened in the shallow water bearing zones. Benzene was detected in wells W-120 and W-121, and total xylenes were detected in wells MW-1 and W-120. The groundwater gradient in the shallow zone at the site was estimated to be approximately 0.0013 feet per foot. The direction of flow is generally toward the east and southeast.
6. **Site Hydrogeology:** The hydrogeologic conditions on the BAW-OU have not been fully characterized. However, on the adjacent Romic facility 4 distinct aquifers have been identified. The three shallow aquifers extend to a depth of about 75 feet below ground surface (bgs). These shallow aquifers are characterized by high total dissolved solids due to the proximity of the Bay and therefore is not a potential source of drinking water. The fourth (deep) aquifer is located at about 130 feet bgs. This aquifer is separated from the shallow aquifers by a thick clay aquitard. Water in this aquifer is of high quality and meets the State Board criteria as a potential source of drinking water. No impacts to the deeper aquifer have been encountered at any of the sites within the RIA.
7. **Remedial Activities:** In preparation for remediation, the property was cleared of all surface and near surface structures and debris. A gravel cover layer and soil with visible hydrocarbon staining was excavated. In some areas where the most intensive wrecking activities were conducted, concrete slab was discovered beneath several inches of gravel and soil. This slab may have limited the migration of pollutants downward. A consistent clay layer was found beneath the gravel material on the property which contained little or no staining. Any areas where staining was evident were excavated and confirmation samples collected. The excavated material was

segregated, screened to remove debris and stockpiled. The stockpile material was then sampled to determine final disposition.

Relatively consistent levels of TPH-D and lead were detected in the stockpile material. Concentrations of these compounds ranged from 100-3,900 mg/kg, with a 90% upper confidence limit of 2,306 mg/kg. Very low levels (ND-<20 ug/kg) of BTEX compounds were also detected in these soil. In addition to the hydrocarbons, lead ranging in concentrations from 210-1,000 mg/kg, with a 90% upper confidence limit of 672 mg/kg were also detected in the stockpiled soil. None of the soil samples contained lead exceeding the USEPA, Region IX, Preliminary Remediation Goals (PRGs) of 1,000 mg/kg for an industrial exposure. USEPA has used their PRGs as tier 1 screening levels for investigation and cleanup within the RIA. As the concentrations detected do not exceed the PRGs, further evaluation is not necessary.

8. **Current Conditions:** The property is currently vacant. The previously stockpiled soil containing residual hydrocarbons and lead has been placed onto a portion of the property and capped with a fabric barrier and approximately 1 foot of clean soil. Demeter has placed a deed restriction on the property and developed a Soil Management Plan to address the impacted soil.

Shallow groundwater on the property is currently impacted with low levels of petroleum hydrocarbon in the diesel range (TPH-D) at a maximum concentration of .5 mg/l. No detectable concentration of BTEX or TPH-G were detected in any of the recent groundwater samples. Additionally, lead was detected at a maximum concentration of .011 mg/l, below the MCL of .015 mg/l. Based on the current conditions of the property, and provided that the Soil Management Plan is adhered to, this property does not pose a significant threat to human health, water quality or the environment.

9. **Soil Management Plan and Deed Restriction:** Approximately 12,000 cubic yards of soil containing residual concentrations of petroleum hydrocarbons and lead have been managed in-place on the site. In order to assure that this soil will not have an adverse affect on human health or the environment, a Soil Management Plan (SMP), dated March 19, 1998, has been developed and submitted to the Board. This SMP provides the protocols which are to be followed during any future construction on, or management of these impacted soils. Implementation of the technical and procedural requirements of this plan should prevent negative impacts to human health or the environment which could be associated with the hydrocarbons and metals known to exist in these soils.

In addition to implementation of the SMP, the discharger has placed a deed restriction on the property which references the SMP. The Board finds both the SMP and the deed restriction acceptable. Assuming that SMP is adhered to, there are no known environmental conditions, associated with these soils, which prevent industrial or commercial development and use of this property.

10. **Scope of this Order:** This Order recognizes investigative and remedial activities which have taken place on the property, application of a deed restriction and implementation of a Soil Management Plan to address impacted soil which shall remain in-place on the property. This Order rescinds existing Site Cleanup Requirement Orders 93-162, 94-041 and 95-113. No further action is required on this property other than long term implementation of the Soil Management Plan.
11. **Basis for Rescission of Order:** The residual levels of petroleum hydrocarbons and lead in soil which are remaining in-place on the property do not pose a significant threat to human health, water quality, or the environment, provided that the Soil Management Plan referenced herein is adhered to. Based on the current conditions of the property and the institutional controls applied, no further action is necessary and the Site Cleanup Requirements should be rescinded.

CEQA

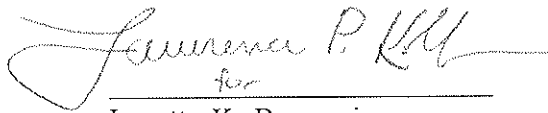
13. This action is an order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.

NOTIFICATIONS

14. The Board has notified the dischargers and interested agencies and persons of its intent under California Water Code Section 13304 to rescind Site Cleanup Requirements for the discharge and has provided them with the opportunity for a public hearing and an opportunity to submit their written views and recommendations.
15. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

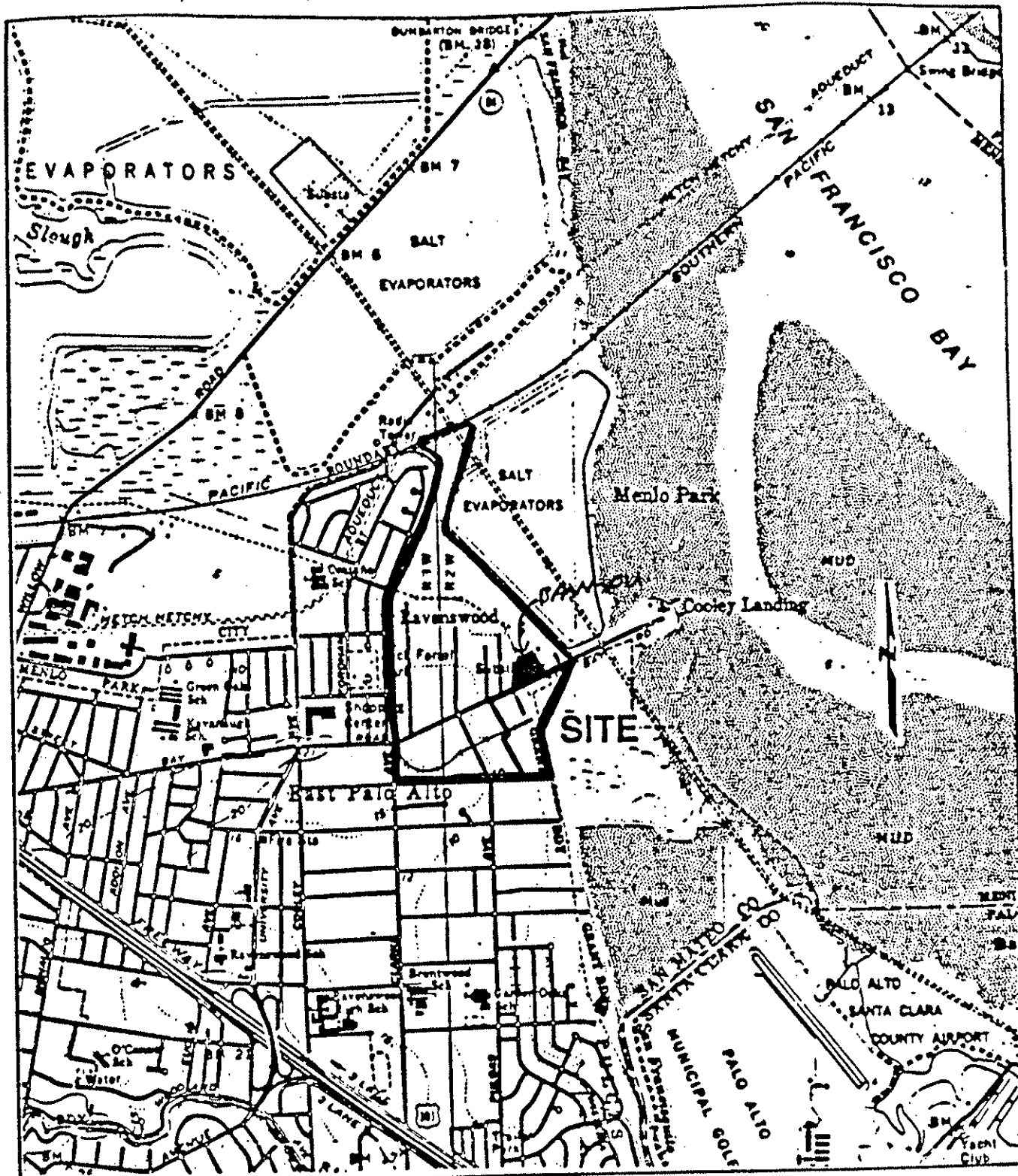
IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Site Cleanup Requirement Orders 93-162, 94-041 and 95-113 are rescinded.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 20, 1998.



Loretta K. Barsamian

Figure 1, Site Location Map



Source: USGS 7.5 minute series (topographic),
Palo Alto and Mountain View Quadrangles

0 2000 Feet



2005, 2017, 2025,
2065

SITE LOCATION MAP
1999 Bay Road Site
East Palo Alto, California

Figure
1

Project No.
1220F